

Before the Iowa Civil Rights Commission

<p>IOWA CIVIL RIGHTS COMMISSION, State Law Enforcement Agency, and MICHAEL FISHNICK and PATRICIA KELLY, Complainants, vs. DUBUQUE AERIE #568 OF THE FRATERNAL ORDER OF THE EAGLES, a/k/a DUBUQUE FRATERNAL ORDER OF EAGLES) NO. 568, a/k/a DUBUQUE ASSOCIATION NO. 568 OF THE FRATERNAL ORDER OF EAGLES, an Iowa nonprofit corporation, and STEVE KUHLE, Respondents.</p>	<p>ICRC Case Nos.: 03-13-64009 and 03-13-63965 DIA No.: 14ICRC009 14ICRC010 FINAL ORDER</p>
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The Administrative Law Judge's Supplemental Proposed Decision, dated November 21, 2016, is adopted with the exception of the following:

- 1) Page 13, paragraph 5 is reversed.
- 2) Pages 9 and 10, and the first paragraph of page 11 (section B-Personal Liability of Respondent Steven Kuhle) are stricken.

The Proposed Decision dated September 2, 2015 is affirmed against the non-profit DUBUQUE AERIE #568 OF THE FRATERNAL ORDER OF THE EAGLES, a/k/a DUBUQUE FRATERNAL ORDER OF EAGLES NO. 568, a/k/a DUBUQUE ASSOCIATION NO. 568 OF THE FRATERNAL ORDER OF EAGLES, an Iowa nonprofit corporation, but is reversed as to Respondent Steve Kuhle. Steve Kuhle's actions as a trustee of the non-profit organization form

the basis for this FINAL ORDER, but he is not personally liable as an individual due to the immunity provided for in Iowa Code Section 504.901 (1).

- 3) Damages are awarded as indicated for all parties in the Administrative Law Judge's Proposed Decision September 2, 2015.
- 4) The Administrative Law Judge's award of Complainants Fishnick and Kelly's Attorney's fees of \$25,077 as of September 13, 2016 is affirmed.
- 5) The emotional damages are affirmed in total as proposed by the Administrative Law Judge on September 2, 2015.

Commissioner Conley dissented solely on the emotional damages award, and indicated he would not award any emotional damages.

Dated this 6th day of April, 2017.


Angela Jackson
Chair, Iowa Civil Rights Commission

Copy to:

Law Office of Robert Sabers
3003 Asbury Road
Suite 1
Dubuque, Iowa 52001
sabers@yousq.net
saberslaw@yahoo.com
COMPLAINANTS' COUNSEL

Allan Richards, Attorney at Law
P.O. Box 448
Tama, Iowa 52339
allanmaxrichards@aol.com
RESPONDENTS' COUNSEL

Tyler Buller
Assistant Attorney General
Civil Rights Section
Hoover State Office Building, Second Floor
Des Moines, Iowa 50319